

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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**No. 22-3038****September Term, 2022**

FILED ON: APRIL 7, 2023

UNITED STATES OF AMERICA,  
APPELLANT

v.

JOSEPH W. FISCHER,  
APPELLEE

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Consolidated with 22-3039, 22-3041

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Appeals from the United States District Court  
for the District of Columbia  
(No. 1:21-cr-00234-1)  
(No. 1:21-cr-00119-1)

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Before: KATSAS, WALKER and PAN, *Circuit Judges*

**J U D G M E N T**

These causes came on to be heard on the record on appeal from the United States District Court for the District of Columbia and were argued by counsel. On consideration thereof, it is

**ORDERED** and **ADJUDGED** that the orders of the District Court appealed from in these causes be reversed and the cases be remanded for further proceedings, in accordance with the opinion of the court filed herein this date.

**Per Curiam**

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/

Daniel J. Reidy  
Deputy Clerk

Date: April 7, 2023

Opinion for the court filed by Circuit Judge Pan, with whom Circuit Judge Walker joins, except as to Section I.C.1 and footnote 8.

Opinion concurring in part and concurring in the judgment filed by Circuit Judge Walker.

Dissenting opinion filed by Circuit Judge Katsas.